

**\*PLEASE NOTE: Since the Glendale City Council does not take formal action at the Workshops, Workshop minutes are not approved by the City Council.**

**MINUTES  
CITY OF GLENDALE  
CITY COUNCIL WORKSHOP  
JANUARY 16, 2007  
1:30 P.M.**

**PRESENT:** Mayor Elaine M. Scruggs, Councilmembers Joyce V. Clark, Steven E. Frate, David M. Goulet, Yvonne J. Knaack, H. Phillip Lieberman, and Manuel D. Martinez

**ALSO PRESENT:** Ed Beasley, City Manager; Pam Kavanaugh, Assistant City Manager; Craig Tindall, City Attorney; and Pamela Hanna, City Clerk

**1. 2007 STATE LEGISLATIVE UPDATE**

CITY STAFF PRESENTING THIS ITEM: Ms. Dana Tranberg, Intergovernmental Programs Director; Mr. Brent Stoddard, Legislative Coordinator; and Ms. Jessica Blazina, Deputy Intergovernmental Programs Director

This is a request for the City Council to provide direction on proposed state legislation, consistent with the approved 2007 state legislative agenda.

The purpose of the 2007 state legislative agenda is to affect state legislation in relation to the interests of the city and its residents.

The 2007 state legislative agenda provides the policy framework by which Intergovernmental Programs staff engages on state legislative issues.

Throughout the 2007 state legislative session, policy direction will be sought on proposed statutory changes which fall under the adopted council policy statements relating to the financial stability of the city, public safety issues, promoting economic development, managing growth and preserving neighborhoods.

The Intergovernmental Programs staff recommends prioritizing the state legislative agenda to a few key issues to allow the city to have a stronger, more consistent message on the items of greatest priority. The proposed key priority issues for consideration are described in the reports that were presented to the Council at the Workshop session.

The legislative agenda defines the city's priorities for the upcoming session and will guide the city's lobbying activities at the Arizona State Legislature. The

Intergovernmental Programs staff will come before the Council on a regular basis throughout the session for direction on bills and amendments that may be introduced. The city's legislative agenda is a flexible document and may change, based on activities at the Legislature and Council direction.

On December 19, 2006, the Council approved the 2007 State Legislative Agenda, which included policy statements on municipal legislative priorities and principles.

The priorities and principles of Glendale's 2007 state legislative agenda provide the venue for the city to identify and engage on state legislative issues. The key principles of the state legislative agenda are: to preserve and enhance the city's ability to deliver quality and cost-effective services to citizens and visitors; to address quality of life issues for Glendale residents, and to enhance the Council's ability to serve the community by retaining local decision-making authority and maintain state legislative and voter commitments for revenue sources.

Staff is requesting the Council to provide policy guidance on the proposed state legislative issues.

Ms. Dana Tranberg, presented slides for the council to view.

Councilmember Goulet asked how MAG (Maricopa Association of Governments) would interact with transportation groups. Ms. Tranberg stated that the discussions were ongoing. She said the Governor is trying to get stakeholders together for a plan proposal brought forward by ADOT. She noted that transportation issues were statewide not only in Maricopa County.

Councilmember Goulet asked about federal air quality issues. He said that living in the desert presented a challenge. Mr. Brent Stoddard stated that most air quality discussions happened with MAG and they are in constant communication with the EPA. He said that they have the same concerns. He added that the air quality is rated using the same method for each state in the union.

Mayor Scruggs stated that there was always the opportunity to go to the district office of the EPA in San Francisco and state their case as far as living in a desert area and its challenges. She said that it is not always received well.

Councilmember Lieberman asked if Nogales would be a second featured port for Mexico in Arizona on the highway system. Ms. Tranberg stated that she had not heard any news on that but would look into it. She said that she did hear that Texas is pushing for a NAFTA corridor. Councilmember Lieberman noted that the NAFTA name had changed to NASCO.

Councilmember Martinez stated that the state has to meet air quality standards or incur penalties. He asked when they would start accumulating penalties. Mr. Stoddard stated there were a couple of different deadlines that are set for air quality. He said the first was 12/31/07 when they have to submit a plan to reduce it year by year. He said that there would be specific deadlines for different standards in the coming year. He said they are working hard in meeting those standards with the help of MAG, therefore, he does not anticipate any penalties.

Councilmember Frate stated that he believes that there is a lot that can be done to improve air quality. He gave examples of ways people are adding to the pollution problems. He said the laws have to be enforced for this to work. He stated they had to start now.

Ms. Tranberg gave a brief review of the state budget. She said the Governor released her budget proposal on Friday. She said the Legislature had not released their budget proposal as of yet. The Governor's office predicts revenues of \$10 billion, including a \$421 million carry over from the current budget totaling \$10.4 billion. She added that the Governor's budget does not call for additional tax cuts.

## **2. COUNCIL ITEMS OF SPECIALINTERERST**

CITY STAFF PRESENTING THIS ITEM: Mr. Ed Beasley, City Manager

This is the quarterly opportunity for the City Council to identify topics of interest they would like the City Manager to research and assess for placement on a future workshop agenda.

In the fall of 2002, the Council approved a procedural guideline allowing for topics of special interest to be identified by the Council on a quarterly basis for follow-up by the City Manager.

Staff requests the Council to identify items of interest for follow-up by staff during the next quarter.

Mr. Ed Beasley stated the 5 areas for discussion. Inclusiveness Communities, Sex Offender Registration, Speeding Fines, Political Signs in the Right-of-Way and Sex Offender Legislation.

### Inclusiveness Communities

Councilmember Lieberman stated he had requested information on this designation and discussion by Council. He asked about the procedure to move forward on the obtaining the designation of an Inclusiveness Community per the National League of Cities. Mr. Eric Strunk stated that they would have to complete an application for the National League of Cities. He said that they would review it and have a proclamation for the council and staff to review and adopt. He said they would then register Glendale as an Inclusive Community and be sent a sign to post.

Councilmember Clark asked if the city of Glendale stands above other cities in the area listed for community programs and organizational efforts. Mr. Strunk stated that the city goes well beyond other communities in providing services and programs. Mayor Scruggs stated that after going through the list she is confident the city does an extraordinary job.

Councilmember Goulet stated that he believes that the city is recognized as one of the best communities because of its diversity. He asked if the designation would have a

budget impact. Mr. Strunk stated that other than the cost of signage, there really was no cost involved. He said that the city already does a fantastic job in the other areas.

Councilmember Martinez asked what was to be gained by applying for this and what the down side was if they did not apply for it. Mr. Strunk stated that what they would gain would be national recognition.

Councilmember Clark agreed that they should be recognized nationally for the accomplishments the city has made. She added that it was a logical next step.

Councilmember Lieberman stated that he had brought this issue to Council and there is no down side to the application other than the cost of the signs. He said that he would like the city to be rated nationally as a city of inclusiveness.

Councilmember Knaack agreed that inclusiveness was a much better word to describe the city than diversity. She supports moving forward with the application.

Mayor Scruggs asked if anyone had failed to meet the criteria. She was concerned that the zoning issue might eliminate the city's chances. Mr. Strunk stated that the city does a lot in affordable housing, and he does not see a problem. She also asked how the signs would be prepared. Mr. Strunk stated that Mr. Jon Froke would be handling that aspect.

Councilmember Lieberman stated that they should move forward and come to a consensus. He added that this would only benefit the citizens.

Councilmember Martinez stated that he was also in support to move forward on this item.

Mayor Scruggs stated that this item should move forward and directed Mr. Beasley to fill out the application.

### Sex Offender Registration

Councilmember Martinez stated that he would like the city to come up with an ordinance with a distance limitation for sex offenders. He said that a number of cities are already doing something similar. He recommends initiating an ordinance on this matter.

Mr. Tindall stated they could discuss initiating an ordinance but said that he wanted to make council aware of the challenges for these types of boundaries.

Councilmember Clark supported Councilmember Martinez's position. She said she believes that there should be some distance requirements with regards to schools and parks.

Mayor Scruggs clarified that Councilmember Martinez's position was to have a 2,500-

foot distance between residences. She stated that from everything she had heard it has not been done before. Mr. Tindall stated that he was not aware of any ordinances being passed with that type of restriction.

Councilmember Martinez asked if a notification can be sent when a sex offender moves into an area and the citizens be notified. He also would like the restrictions to cover schools and parks. Mr. Tindall stated that for people already residing in an area it would be difficult to do anything legally.

Councilmember Knaack asked about the policy of notification of sex offenders in an area. Steven Conrad, Police Chief, stated that the department was in charge of sending the notifications to schools, neighborhoods and immediate area residents.

Mayor Scruggs suggested having a sign-up e-mail listing of people that want to be notified and also setting up a system for emailing rather than mailing flyers. Chief Conrad stated that it was a good idea.

Councilmember Goulet suggested perhaps a reverse 911 could be used in a confined area to notify people that do not use computers. Chief Conrad stated that he would research the cost and practicality.

Mayor Scruggs read a list of distance marker ordinances having exceptions for residence restrictions. The council agreed to all 5 restrictions. She asked if this should be considered for all levels of sex offenders. Councilmember Clark stated that it should be left to staff consideration of other model legislation. Councilmember Martinez stated that he would like to see it for all levels. Councilmember Lieberman stated that he would also leave it up to staff's discretion. Councilmember Frate stated that staff should check with other cities. He added that this is only good if the sex offender registers.

Mayor Scruggs asked if it was the state law to register. Mr. Tindall stated that yes it was, however, after they are paroled they do not always follow the law. He said that if they were to pass an ordinance it would only be for the city limits. He notes it presents a difficult situation when schools border two cities.

Councilmember Clark stated that there will always be significant circumstances with any undertaking but this is worth embarking upon. The council agreed to move forward. Mayor Scruggs moved on to the next item.

### Speeding Fines

Mayor Scruggs stated that this was introduced to discourage speeders with steeper fines. Mr. Tindall stated that in regards to increasing the speeding fines, there were very narrow parameters set by the state.

Mr. Tindall informed the citizens that the city was authorized to vary only 10% more or less than the set standard. He said that to go over the amount requires a special

circumstance. He said that the city has education programs such as the "It's your town, please slow down" campaign. He stated that the maximum fine is \$250 plus surcharges totaling \$452. He also said that jail time is not allowed for this type of offense.

Councilmember Frate stated that they should do a better job of informing the public of the fines that one can incur as well as insurance hikes. He said that possibly if they were aware they would think twice about speeding.

Councilmember Lieberman asked if they still had the discretion to arrest anyone going 20 plus over the speed limit. Chief Conrad stated that they had that ability and that also the car would be impounded. Councilmember Lieberman asked if they were allowed to work off the fine in community service hours. Mr. Tindall stated that he was not aware of it. He would look into it.

Councilmember Knaack stated that she believes the fines have to be affordable for it not to snowball into something that ends up with license suspension and warrants. She also said that most people do take that first ticket seriously. She does not believe the fines need to be increased.

Mayor Scruggs stated that the fines were at the maximum at the moment. She said that they need to make the public aware of the consequences. She moved on to the next item.

#### Political Signs in the Right-of-Way

Mayor Scruggs stated that she had raised the political sign issue strictly as a reinforcement directive. She said that they all have heard that the signs after an election are not disposed of properly. She said that they are inundated with complaints because the signs are still up or in an incorrect place. She said she needs input from council regarding increased enforcement.

Councilmember Goulet supports greater enforcement. He said he had received some complaints. He asked Mr. Gunn to elaborate on this issue.

Mr. Dan Gunn, Code Enforcement Director, stated that he has no statistics on this issue. He said he believes the public perceives this as a real issue. He stated that he was glad that the council was prepared to act on it. He said that the complaints have increased. He stated that he was content to enforce the law as written today. Mayor Scruggs stated what was needed now was to "reinforce" the law.

Councilmember Clark stated that they needed to inform the state Democratic and Republican parties that run the political races of the law relative to this issue in Glendale.

Councilmember Martinez supported enforcing the ordinance as written. Councilmember Frate also agreed with the enforcement of the ordinance.

Mr. Gunn stated that after the 10-day time limit for clean up; they had removed 400 signs that were still left out after recent elections. Councilmember Frate said that it was a travesty that the taxpayers had to foot the bill for it.

Councilmember Lieberman stated that he would like to include enforcement for people taking signs down illegally. Mr. Gunn stated that the issue has already been addressed. He added that it was very difficult to catch someone in the act of doing this.

Councilmember Knaack stated that private companies also take down signs that are legally placed. She said that they should be made aware before they are taken down and trashed.

Mayor Scruggs directed staff to come up with a plan of action. She noted that she was not looking for an enormous time consuming plan, but something practical and sensible.

Councilmember Clark stated that they need to make everyone aware of the situation starting with the political campaigns coming in 2008. She said it had to be done across the board. She said all signs must be included even non-political.

Mr. Beasley stated that a process is in place and just needs to be enforced.

Councilmember Goulet stated that the legal department should look into a notification process. He suggested requiring that campaign officers or staff sign a document stating they will abide by the ordinance. Mr. Tindall stated that he would look into it, but they could refuse to sign the document. Mayor Scruggs stated possibly sending a registered letter to the campaign headquarters.

Mayor Scruggs states that she will be looking for a plan of action in three months. She went forward with the next item.

The next item was new issues for the council to bring forward.

Councilmember Clark stated that she needed information from staff on the construction on intersection of 67<sup>th</sup> Avenue and Glendale Avenue. She said the construction has been underway for more than 8 months. She said that she realizes part of the problem is the utility companies and would like a plan to move this along. She would like to see parameter and time restrictions addressed.

Councilmember Frate stated that he wanted staff to research the rental industry as it relates to renting homes for events coming to a certain city. He is hearing a lot of people might be trying this rental venture and would like to know what effect it has on the cities.

Mayor Scruggs stated that she believes it should be referred to the Council Code Committee. She noted that she had already done so.

Councilmember Martinez stated that he would like staff to look at speeding on the 101 and look at what Scottsdale has done. He said he would also like staff to establish a code of ethics for the council.

Councilmember Clark stated that she had brought this up last year and staff reported that there had been no support for this issue.

Councilmember Lieberman stated that he supports Councilmember Martinez in this issue.

Councilmember Knaack stated that she would like staff to research a plan for combating graffiti. She believes it is becoming a real issue again.

Councilmember Clark stated that she is in support of a graffiti watch. She said that she has been investigating the use of portable video. She said staff has some of this information.

Mayor Scruggs asked Mr. Tindall to elaborate on the issue regarding rentals. Mr. Tindall stated that there was no regulation in place to deter anyone from renting his or her home. He said that it would fall to the homeowners association.

Mr. Tindall stated that the next item was a discussion on a designation for Vice Mayor.

Councilmember Frate offered Councilmember Martinez's name for consideration for Vice Mayor of the City of Glendale. He had been impressed with Councilmember Martinez professionalism and attendance at events. He works hard for the city and is a person of high integrity.

Councilmember Clark offered Councilmember Lieberman's name for consideration for Vice Mayor of the City of Glendale. She stated that she offers Councilmember Lieberman for the same reasons as Councilmember Martinez but with the added element of seniority.

Councilmember Lieberman described his involvement in the community. He stated that the issue of seniority should be considered. He added that he believes the Vice Mayor position should be for 1 year.

Councilmember Goulet stated that he does not believe that seniority should be the only qualification when making a decision. He said that the main role is leadership and a sense of trust. He believes that the council should not take this decision lightly because it is a reflection on the whole city of Glendale.

Councilmember Clark voiced her opinion on leadership roles and qualifications. She added that she believes that to be against a certain decision should not automatically exclude you from being considered for the position of Vice Mayor. She said that there needs to be a structure to the filling of the post and seniority should be the best qualifier with a year time limit.



Councilmember Martinez stated that he is honored to be nominated. He talked about the voting decisions of the council. He said that voting decisions were mainly unanimous. He said he believes the council understands the issues. He stated that in regards to the issue of seniority the Council had to come to its own conclusions on the matter.

Councilmember Knaack stated that she has based her decision on community leadership in regards to the Vice Mayor position. She believes the person needs to have tenure but not necessary seniority. She said the person must have statesmanship, dignity and be warm and friendly to people. She said the person needs to respect the Mayor and other councilmembers in order to work together in a professional and productive manner. She stated that she supports nominating Councilmember Martinez.

Mayor Scruggs complimented Councilmember Knaack on her notes on nominating a candidate for Vice Mayor. She stated that the role of Mayor is the chair of the council and the official spokesperson for the City Council. She said the Vice Mayor will have the same authority, power and duty in place of the Mayor. She said that she would like to focus on the word spokesperson to make a decision. She stated that she will support Councilmember Martinez.

Mr. Tindall stated that on January 23, 2007 there would be a posting for a motion and a vote to designate Councilmember Martinez for Vice Mayor.

Mayor Scruggs commented on the changes in the election and selection process. Mr. Tindall stated that the selection process should be after elections and swearing in are completed.

#### ADJOURNMENT

The meeting was adjourned at 4:00 p.m.